

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

FREDERICK R. SUMMEY,

Plaintiff,

v.

Civil Action No. 3:05-CV-109
Appeal No. 07-6953
(BAILEY)

AL HAYNES, Warden,

Defendant.

ORDER GRANTING MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*


On this day, the above-styled matter came before the Court for consideration of defendant Frederick R. Summey's motion for leave to proceed *In Forma Pauperis* [Doc. 37]. In his motion, the petitioner seeks leave to proceed *in forma pauperis* in the prosecution of his appeal as he is unable to pay fees and costs or to give the security therefore pursuant to FRAP Rule 24.

For good reason shown, this Court hereby **GRANTS** the motion **[Doc. 37]**.

It is so **ORDERED**.

The Clerk is directed to transmit a true copy of this Order to the *pro se* petitioner, and to transmit copies to all counsel of record herein and the United States Court of Appeals for the Fourth Circuit.

DATED: February 5, 2008.


JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

